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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/908,696	07/20/2001	Nobuyoshi Kakigi	35.C15584	8990
5514	7590	02/08/2005	EXAMINER	
FITZPATRICK CELLA HARPER & SCINTO			RAHIMI, IRAJ A	
30 ROCKEFELLER PLAZA			ART UNIT	
NEW YORK, NY 10112			PAPER NUMBER	
			2622	
DATE MAILED: 02/08/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/908,696

Applicant(s)

KAKIGI ET AL.

Examiner

(Iraj) Alan Rahimi

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 July 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 July 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
- ☒ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.


TYLER LANE
PRIMARY EXAMINER

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mandel et al. (US patent 5,308,058) in view of Wada (US patent 6421,582).

Regarding claim 1, Mandel discloses an image recording apparatus, comprising:
designating means for designating attached information (column 15, lines 15-28);
discrimination means for discriminating whether or not there is a paper output port
corresponding to the attached information read from storage means for storing image data and
attached information about the image data (Fig. 6); and
determination means for determining a paper output port as a selected paper output port if
said discrimination means discriminates that there is a corresponding paper output port, and
determining an available paper output port as a selected paper output port if said discrimination
means discriminates that there is not a corresponding paper output port (Fig. 6, 7 and 8).
Mandel does not disclose explicitly that image data is read from the memory, even
though one could easily contemplate such arrangement, Wada discloses reading the image from
memory devices such as smart media, compact flash, optical disk and floppy disk (column 5,
lines 35-44).

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Mandel and Wada are combinable because they are from the same field of endeavor that is printing images and outputting to multiple bins.

At the time of invention it would have been obvious to a person ordinary skill in the art to keep the images on a memory card.

The motivation to do so would have been to keep the image data portable and ready to print with select printer.

Therefore it would have been obvious to combine Mandel and Wada to obtain the invention as specified in claim 1.

Regarding claim 2, Mandel discloses the apparatus according to claim 1, further comprising means for outputting paper on which image is recorded based on the image data read from said storage means to the paper output port determined by said determination means (column 15, lines 15-27).

Regarding claim 3, Mandel discloses the apparatus according to claim 1, wherein said attached information contains any of an owner, a date, a title, a destination user, and a directory (column 5, lines 38-46).

Regarding claim 4, Mandel discloses the apparatus according to claim 1, further comprising display means for displaying a name of each paper output port (column 5, lines 38-46).

Regarding claim 5, Wada discloses the apparatus according to claim 1, wherein said attached information and image data are stored in said storage means by a digital camera (column 1, lines 19-22).

Regarding claim 6, 11 and 16 arguments analogous to those presented for claim 1, are applicable.

Regarding claim 7, 12 and 17, arguments analogous to those presented for claim 2, are applicable.

Regarding claim 8, 13 and 18, arguments analogous to those presented for claim 3, are applicable.

Regarding claim 9, 14 and 19, arguments analogous to those presented for claim 4, are applicable.

Regarding claim 10, 15 and 20, arguments analogous to those presented for claim 5, are applicable.

Other Prior Art Cited

3. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

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Sugaya (US patent 6,714,313) discloses virtual ejection ports on a printer.


D'Alessandro et al. (US patent 6,600,570) discloses a printer with multiple output bins.


Contact Information

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to (Iraj) Alan Rahimi whose telephone number is 703-306-3473. The examiner can normally be reached on Mon.-Fri. 7:30-4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward L. Coles can be reached on 703-305-4712. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Alan Rahimi
February 4, 2005


TWYLER LAMB
PRIMARY EXAMINER